

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Request for Reconsideration Concerning Lifeline	)	WC Docket Nos. 09-197, 11-45
Broadband Providers	)	
	)	
	)	

**BRIEF COMMENTS OF THE CITY OF NEW YORK**

The New York City Department of Information Technology and Telecommunications (“DoITT”) and the Mayor’s Office of Technology and Innovation (“MOTI”) submits these brief comments on behalf of the City of New York (“the City”) in connection with the proceedings listed above. The City supports the request of Free Press et. al. because the Lifeline rescindments potentially limit consumer options for broadband in New York City. The City supports companies willing to make new investments that benefit customers with varying levels of means, including and especially those in public housing, or companies willing to develop business models focused on low- and moderate-income consumers. The City’s expectation is that a competitive marketplace with multiple companies participating in the Lifeline program will spur technology development, encourage economic development and expand affordability.

The City submits these comments because it believes it is important that the Commission know that holding back or rescinding Lifeline designations may have a very real impact on the goals identified above and related programs currently underway in New York City aimed at actualizing those efforts. Rescindments could have a chilling effect on efforts by newer companies in New York City that might develop creative offerings. Ultimately, and most importantly, the City believes that the revocation could harm New Yorkers who will best benefit from multiple broadband choices from multiple providers.

The City has a contract in place with Spot On Networks regarding a demonstration project that would provide broadband service to the residents of the Queensbridge Houses, the largest public housing complex in the country with more than 3100 households. The City is concerned of the impact that the revocation has on the options that Queensbridge Houses residents have regarding broadband providers.

The City acknowledges the Commission's concerns about waste, fraud or abuse of the Lifeline program and urges the Commission to establish the National Verifier as soon as possible. Third party verification will add an important accountability measure for the system, while its delay serves as a disincentive for companies to provide a Lifeline-eligible broadband service. As a result, New Yorkers may have fewer options for affordable service.

So long as the Commission has made no finding of waste, fraud or abuse and so long as qualifications are met, companies that are not traditional telephone service providers should not be penalized or undermined for focusing on customers who qualify for Lifeline. Where a provider has appropriately followed the Commission's procedures and thirty days has passed, the Lifeline Broadband Provider designation must stand. We ask that the Commission expeditiously complete any further vetting it finds necessary for pending applicants and reinstate designations as soon as possible that meet the Commission's standards.

The Lifeline Broadband Provider designation is an important means of increasing affordable service options for New Yorkers. It is an important feature of the Lifeline program, which has the potential for transformative benefits, leading to new investment in densely-populated, low-income urban areas that expand options for disadvantaged customers. New Yorkers, especially in public housing, need greater participation in the Lifeline program by New York City internet service providers, not less. Limiting Lifeline designations could inadvertently favor larger service providers, disadvantage businesses willing to serve low-income populations and provide fewer choices for consumers.

Respectfully submitted,

/s/ \_\_\_\_\_

**THE CITY OF NEW YORK**

March 23, 2017